IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Con.Case(C).No. 1130 of 2007(S)

NON-COMPLIANCE OF THE JUDGEMENT IN WA.NO.1697/2005 Dated 12/12/2006

PETITIONERS:
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1. EMPLOYEES PROVIDENT FUND PENSIONERS' ASSOCIATION,
   REPRESENTED BY K.VIKRAMAN NAIR,
   T.C.42/919, PRATHIBHA, SREEVARAHAM,
   THIRUVANANTHAPURAM.

2. SREEKANTAN NAIR K.C.,
   K.R.1112/5, REVATHI, T.C.41/1114, KURIYATHI,
   MANACAUD P.O., THIRUVANANTHAPURAM.

3. A. SIVARAJAN,
   K.R. 1711/332, KUTTANINNATHIL VEEDU,
   ARUMANOOR, POOVAR P.O.,
   THIRUVANANTHAPURAM.

BY ADV. DR.K.P.KYLASANATHA PILLAY
SMT.SREEDEVI KYLASANATH
SRI.K.JITHIN

RESPONDENTS:
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1. A. VISWANATHAN
   CENTRAL PROVIDENT FUND COMMISSIONER,
   EMPLOYEES PROVIDENT FUND ORGANISATION,
   BHAVISHYA NIDHI BHAVAN,
   14 BHIKAJI GAMA PHASE, NEW DELHI.

2. V.G. DIVAKARAN,
   THE REGIONAL PROVIDENT FUND COMMISSIONER,
   EMPLOYEES PROVIDENT FUND ORGANISATION,
   REGIONAL OFFICE, BHAVISHYA NIDHI BHAVAN,
   PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.N.N. SUGUNAPALAN, SC, P.F.
SMT.T.N.GIRIJA, SC,EPF ORGANISATION

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

Cont. Case (C) NO. 1130 OF 2007 S

Dated this the 4th October, 2007

JUDGMENT

H.L.DATTU, C.J.

Petitioners allege that the respondents have disobeyed the orders and directions issued by this court in W.A.No.1697 of 2007, dated 12th December, 2006. Therefore, a request is made in the petition that appropriate contempt proceedings be initiated against the respondents for the wilful and deliberate disobedience of the orders and directions issued by this Court in the aforesaid Writ Appeal.

2. Sri.N.N.Sugunapalan, learned senior counsel appearing for the respondents/contemnors, would submit that being aggrieved by the orders passed by this Court in W.A.No.1697 of 2005, dated 12th December, 2006, the respondents have carried the matter by filing a Special Leave Petition before the Honourable Supreme Court.

3. In view of the pendency of the Special Leave Petition before the Apex Court, in our opinion, for the present, we need not have to initiate any contempt proceedings against the respondents. Therefore, we drop the contempt proceedings for the present. However, liberty is reserved to the petitioners to approach this Court, if need arises in future.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/